



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

SEP 09 2003

The Honorable Lynn Woolsey
House of Representatives
Washington, DC 20515

Dear Ms. Woolsey:

Thank you for your letter dated May 23, 2003, to Secretary Norton regarding a possible application by the Indians of the Graton Rancheria of California (Tribe) to acquire land in trust in Sonoma, California for the purpose of establishing a gaming facility. Your letter was referred to this office for reply.

Our Pacific Regional office has advised us that they are aware that the Tribe may be considering a possible fee to trust acquisition of land in Sonoma, California, for the establishment of a casino, but it has not filed an application at this time for the acquisition of any lands for gaming purposes.

Trust acquisitions are subject to the approval of the Secretary and must be made pursuant to general or specific statutory authority. In this case, the Tribe is likely to request that land be taken into trust pursuant to Section 1405 of Title XIV of Pub. L. 106-568 (the Graton Rancheria Restoration Act), 25 U.S.C. § 1300n-3, which mandates that, "the Secretary shall accept into trust for the benefit of the Tribe any real property located in Marin or Sonoma County..." Whether this proposed acquisition will qualify for the "restored land" exception contained in 25 U.S.C. § 2719(b)(1)(B)(iii) of the Indian Gaming Regulatory Act and whether the Secretary retains any discretion to accept the land into trust under 25 U.S.C. § 1300n-3 are issues that will be examined if and when the Tribe submits an application.

The process of taking land into trust is a lengthy, time consuming process which often results in voluminous factual information and documentation. The final decision to take land in trust is made only after an exhaustive and deliberative review of all relevant criteria, factual information, and legal requirements.

We are forwarding your letter to our Pacific Regional office who will be responsible for reviewing the Tribe's application, and your letter will be made part of the record for this application should one be submitted.

Thank you for your interest in Indian gaming issues.

Sincerely,

Woodrow W. Hopper Jr.
Principal Deputy Assistant Secretary - Indian Affairs

cc: Regional Director, Pacific Region